



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

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JOHN CORNYN
Attorney General

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January 7, 1999

Mr. Monty Waters, Attorney
Office of General Counsel
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756-3199

OR99-0027

Dear Mr. Waters:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121051.

The Department of Health (the "department") received a request for information about "a Shigella/diarrhea outbreak in the Bonham, Fannin County area." You assert that the records at issue are protected from disclosure under section 81.046 of the Health and Safety Code. Section 81.046 provides, in part:

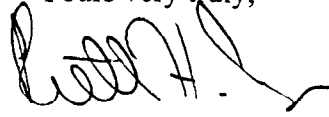
- (a) Reports, records, and information furnished to a health authority or the department that relate to cases or suspected cases of diseases or health conditions are confidential and may be used only for the purposes of this chapter..
- (b) Reports, records, and information relating to cases or suspected cases of diseases or health conditions are not public information

We have reviewed the submitted records and agree that they are protected in their entirety under section 81.046 of the Health and Safety Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied

upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 121051

Enclosures: Submitted documents

cc: Mr. Mark Burgess
Crisp, Jordan & Boyd
P.O. Box 6297
Texarkana, Texas 75505-6297
(w/o enclosures)